



Judge blocks Wecht on 2 open inquests

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By Jim McKinnon, Pittsburgh Post-Gazette

Allegheny County Coroner Dr. Cyril H. Wecht has been rebuffed in his bid to hold open inquests into the deaths of two criminal suspects.

A judge yesterday threw out subpoenas for witnesses issued by Wecht and said the coroner must continue to comply with a consent order that was drafted to mediate a dispute between the coroner and District Attorney Stephen A. Zappala Jr.

Wecht, through his office's solicitor, Timothy G. Uhrich, filed a motion last week seeking to vacate the consent order. He complained that Zappala violated terms of the order brokered by Judge Jeffrey A. Manning and signed in March by the two sides.

Zappala filed motions to revoke the subpoenas after Wecht asked for them.

Wecht wanted subpoenas for an open inquest into the February hanging death of John Walker, 45, inside a holding cell at the Dormont police station. That inquest had been scheduled for July 6.

Zappala also blocked Wecht's subpoenas for an inquest into the fatal shooting in November of Eugene Aiello of Turtle Creek. He was shot by police at the culmination of a domestic dispute.

Wecht argued to vacate the consent order, saying Zappala prevented him from carrying out his statutory duty to conduct open inquests -- fact-finding hearings -- to determine the cause, manner and responsibility for suspicious deaths.

In May, Zappala declared that police officers were justified in shooting Aiello, and he declined to press charges against any of the officers.

Aiello had shot and critically wounded a Forest Hills police sergeant Nov. 9 in Wilkins.

Jay Feldstein, an attorney representing Aiello's parents, said he and his clients support the coroner's efforts to hold an open inquest. He said the family has many questions about Aiello's death.

"The sole reason [Wecht] has given for holding of inquests in both of these cases is to determine whether the deaths were the result of criminal acts," Manning wrote yesterday.

"The assertion that the manner of death has yet to be determined is disingenuous.

"The manner of death in both of these cases is obvious and an inquest into either matter is unnecessary and superfluous."

Manning added that "the holding of such inquests would constitute an abuse of the discretion the coroner has in determining whether an inquest is necessary to meet his statutory obligation to determine the cause and manner of death."

Zappala was ordered, by July 28, to file a response to the coroner's motion to vacate the consent order.

Manning will decide then whether further hearings are required.

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